

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

KENNETH TOWNE,et al.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:06CV00067 ERW
)	
MARK WILLIAMS,)	
)	
Defendant.)	

ORDER

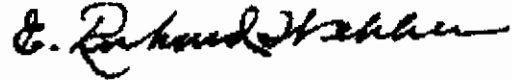
This matter is before the Court on plaintiff's Motion to Reopen Case [doc. #7]. The Court has reviewed the proposed amended complaint and finds that the allegations and defendants are not the same as those in the original complaint previously dismissed by this Court. As a result, the proposed amended complaint should be filed as a new case and randomly assigned to a judge pursuant to the Court's case initiation program.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's Motion to Reopen Case [doc. #7] is **DENIED**. The Clerk shall file plaintiff's proposed amended complaint as a new case and randomly assign it to a judge pursuant to this Court's case initiation program.

IT IS FURTHER ORDERED that plaintiff's Second Motion for Leave to Proceed In Forma Pauperis [doc. #8] is **DENIED**, as moot, in this matter, and shall be refiled along with the amended complaint in the new case.

So Ordered this 6th Day of September, 2007.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written in a cursive style.

E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE